

I, Alexander Zinchuk, residing at 340 East 74<sup>th</sup> Street,  
New York, New York 10021 declare that:

I am proficient in the English and German languages.

I have carefully made the attached translation from the  
International Preliminary Examination Report, issued in  
International Application No. PCT /EP2004/013444 written  
in the German language;

The attached translation is a true and correct English  
version of such original, to the best of my knowledge and belief.

I further declare that all statements made herein on my  
own knowledge are true and that all statements made on the  
information and belief are believed to be true; and further that  
these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or  
imprisonment, or both under Section 1001 of Title 18 of the  
*United States Code* and that such willful false statements may  
jeopardize the validity of the application or any registration  
resulting therefrom.

Alexander Zinchuk

Alexander Zinchuk

Dated: April 14, 2006

IAP2012-01 PCT/PTO 24 MAY 2006

**INTERNATIONAL PRELIMINARY EXAMINATION REPORT****I. Basis of the Report**

This report has been drawn on the basis of (substitute sheets which have been furnished to the receiving Office in response to invitation under Article 14, are referred in this report as “originally filed” and are not annexed to the report since they do not contain amendments):

**Description, pages**

2, 5, 6	as originally filed
1, 3, 4	filed on October 12, 2005 by fax

**Claims, Nos.**

1-2	filed on October 12, 2005 by fax
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**Drawings, Sheet**

1/1	as originally filed
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**V. Reasoned Statement under Article 35(2) with Regard to Novelty,  
Inventive Step and Industrial Applicability; citations and  
explanation supporting such statement.**

1. Statement

Novelty	Claims 1-2	Yes
Inventive Step	Claims 1-2	Yes
Industrial Applicability	Claims 1-2	Yes

2. Citation and Explanations (Rule 70.7)

See attachment

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

### (ATTACHMENT)

#### To Paragraph V

1. In the subject Report, reference is made to the following document:

**D1:** EP 0 568 579 A (ASEA BROWN BOVERI AB) 10. November 1993 (1993-11-10)

**D2:** FR 2 628 994 A (VIVES CHARLES) 29. September 1989 (1989-09-29)

**D3:** WO 03/028925 A (SMS DEMAG AKTIENGESELLSCHAFT; EBERWEIN, KLAUS-PETER) 10. April 2003 (2003-04-10)

2. Novelty and Inventive Step

Document **D1** is viewed as the closest prior art and discloses a continuous casting mold in which for influencing of flow of liquid metal, permanent magnets (15b) are arranged on the mold (11) (Fig. 1).

**D1** suggests two alternative solutions for varying the field strength:

- The magnets themselves are displaceable in slots of the water box (claim 7, specification, page 6, lines 39-57).
- Adjustable core elements can be inserted into magnets (claim 7, specification, page 6, line 58-page 7, line 6).

**D1** further describes that the permanent magnets are arranged in or adjacent to the water box (14) (specification, page 6, line 15...)

In **D1**, the permanent magnets abut the mold or adjoin it.

Thus, **D1** describes characteristic features of the preamble of claim 1.

However, **D1** describes and shows only translational displacements off permanent magnets.

Therefore, the pivotal adjusting means of the characterized clause of claim 1 is new.

Thereby, the object is solved in an alternative manner, to provide means for varying the field strength of the permanent magnets. The

rotation additionally weakens the field strength in comparison with translational movement and facilitates detachment of the magnets.

According to **D3**, electromagnets rotate relative to the mold, however, here, the magnets or the rotary device or the adjusting device, because of weight problems, are not secured on the mold.

According to **D2**, the magnets rotate, however, not in order to adapt the field strength.

Thus none of the further cited documents makes it obvious to use pivotal means according to claim 1.

### 3. Further Remarks

According to claim modification, the pivotal movement is not a preferred embodiment. The word “preferred” page 4, line 29 should be strikeout in the national phase of the application, likewise the embodiment of the rotary spindles (line 30).